

**RESOLUTION NO. 2021-11**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "CASE NO. PZ-21-00019 ZONING CODE TEXT AMENDMENT- 2021: AFFORDABLE HOUSING MODIFIED DEVELOPMENT STANDARDS"**

**RECITALS:**

WHEREAS, pursuant to A.R.S. § 9-802 a municipality may enact or amend provisions of the City Code by reference to a public record, provided that the adopting ordinance is published in full;

WHEREAS, the City of Flagstaff wishes to incorporate by reference amendments to the Flagstaff Zoning Code, Ordinance No. 2021-05, by first declaring said amendments to be a public record.

**ENACTMENTS:**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

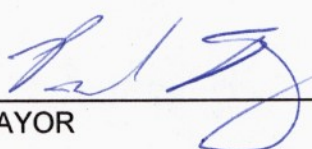
**SECTION 1. In General.**

That certain document known as "*Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards*" attached hereto as Exhibit A is hereby declared to be a public record, and one (1) paper copy and one (1) electronic copy shall remain on file with the City Clerk in compliance with A.R.S. § 44-7041, and said copies shall remain on file with the City Clerk.

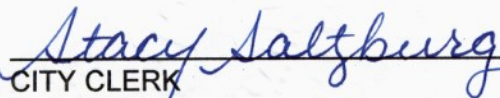
**SECTION 2. Effective Date.**

This resolution shall be effective thirty (30) days following adoption by the City Council.

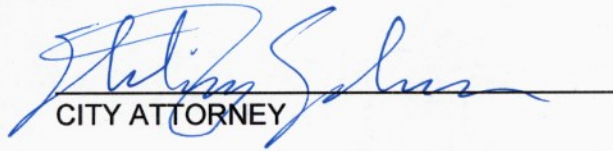
PASSED AND ADOPTED by the City Council of the City of Flagstaff this 23rd day of March, 2021.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

Exhibits:

- A. Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards

#### HOW TO READ THIS DOCUMENT

Unless otherwise stated, existing provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethrough text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.20 Affordable Housing Incentives, Section 10-30.20.020 Applicability, Subsection C. Minimum Percentage., as follows:

#### 10-30.20.020 Applicability

- C. **Minimum Percentage.** A minimum of 10 percent of the total number of proposed units must be affordable housing, as defined in Section 10-30.20.050, Density Bonus, **unless a higher minimum is required by other provisions of this division.**

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.20 Affordable Housing Incentives, 10-30.20.040 Affordable Housing Incentives, Subsection B. Incentives Defined., Paragraph 4. Adjustment of Building Form Standards., as follows:

#### 10-30.20.040 Affordable Housing Incentives

- B. **Incentives Defined.** For the purposes of this division, developer incentives for affordable housing development are defined below.
4. **Adjustment of ~~Building-Form~~ Property Development Standards.**
- Affordable housing can utilize Planned Residential Development (Section 10-40.60.280) in any zone to provide flexibility in the application of building form requirements and to increase the potential building types.
  - Minor modifications to ~~building-form-standards~~ **Property Development Standards** for affordable housing developments ~~(e.g., setbacks, height, coverage, area, lot size, or other lot requirements)~~ may be modified up to 15% **percent.**
  - Additional modifications to the Property Development Standards may be approved by the City Council for a Category 1 affordable housing development that provides 100% of the dwelling units to persons or families with a household income equal to 80% or less of the**



Area Median Income as published annually by the U.S. Department of Housing and Urban Development for the City of Flagstaff.

- (i) To approve a request to modify the Property Development Standards, the City Council shall find that the following criteria have been met:
  - (a) The modifications are consistent with and conform to the goals of the General Plan and any applicable specific plans;
  - (b) The modifications will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and will add to the public good as described in the General Plan;
  - (c) The requested modifications will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located;
  - (d) The proposed development is consistent with the character of the area; and
  - (e) The type, quality, and amenities of the development are consistent with those found in similar developments that are available to the public at market rate.
- (ii) Additional findings to approve a request to modify the number of motor vehicle parking spaces required (Section 10-50.80.040). To approve a request to modify the motor vehicle parking requirements, the City Council shall also find that:

- (a) Adequate transit service is available to the Development Site. Adequate transit service from a Development Site to a permanent transit stop is:

- (a.i.) Less than or equal to 1,320 feet; or
- (a.ii.) A distance greater than 1,320 feet when the City Council finds that the route to the permanent transit stop has adequate nighttime lighting and does not have a significant grade change, and the distance does not impede reasonable access to transit.

The distance between the permanent transit stop to the Development Site shall be measured following a continuously improved sidewalk and/or public paved trail.

- (iii) Notice of the City Council Meeting. A minimum of 15 days prior to the City Council Meeting, the applicant shall:
  - (a) Notify by first-class mail all property owners of record within 300 feet of the subject property of the purpose of the request, and the time, date, and place of the City Council meeting;
  - (b) Notify by first-class mail all homeowners associations (HOAs) that govern land within 1,000 feet of the subject property as well as all persons or groups whose names are on the registry of persons and groups described in Subsection C of Section 10-20.30.080 who are interested in receiving such notice, of the purpose of the request, and the time, date, and place of the City Council meeting;
  - (c) Notify by first-class mail all affordable housing advocacy agencies on file with the City of Flagstaff's Housing section of the purpose of the request, and the time, date, and place of the City Council meeting; and
  - (d) Install a minimum of one sign that is at least four feet by four feet on the Development Site in a location clearly visible from a public right-of-way and



adjacent residents setting forth the purpose, time, date, and place of the City Council meeting, with an attached information tube containing copies of the meeting notice. All print on the sign shall be visible from a distance of 100 feet.

- d. For the purposes of this section, the Property Development Standards means Building Form, Building Placement, Building Types, Encroachments and Frontage Types, Fences and Screening, Landscape Standards, Lot Requirements, Open Space, Parking Standards and Required Parking, Private Frontage Types, and any other amount, area, dimension, quantity, size, or design requirement of the Zoning Code as determined by the Zoning Administrator. Property Development Standards that may be modified pursuant to this section do not include Building Height, Density, the Number of Units per Building Type, Outdoor Lighting Standards, Signs, and the standards or guidelines of the overlay zones specified in subsection A.1. (Airport Overlay (AO)), A.2., (Downtown Overlay (DO)), A.3. (Landmarks Overlay (LO)) and A.5 (Townsite Overlay (TO)) of Section 10-40.50.030., and any historic overlay zone adopted after the effective date of this provision (CITY CLERK/CODIFIER TO ADD EFFECTIVE DATE).

Section 3. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.80: Parking Standards, Section 10-50.80.060 Parking Adjustments, as follows:

#### **10-50.80.060 Parking Adjustments**

In the case that more than one parking adjustment may apply, for example as a result of allowed reductions for affordable housing (see Division 10-30.20, Affordable Housing Incentives), reductions for bike racks, or any other reduction authorized by this code, the cumulative parking adjustment shall not exceed 20 percent. However, in multifamily residential developments no less than one parking space per residential unit shall be required, **unless approved by City Council as part of an affordable housing development meeting the criteria set forth in Section 10-30.20.040.B.4.c.**